

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

-----X	:	
In re:	:	CHAPTER 11
	:	
CIRCUIT CITY STORES, INC., <i>et al.</i> ,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	Jointly Administered
-----X		

**NOTICE OF MOTION AND HEARING**

PLEASE TAKE NOTICE that on July 2, 2009, Market Heights, Ltd (“Market Heights”) filed its *Motion of Market Heights, Ltd for Allowance and Immediate Payment of Administrative Rent Claims* (the “Motion”).

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one.) Under Local Bankruptcy Rule 9013-1, unless a written response to the motion is filed with the Clerk of the Court and served on the moving parties, the Debtors, the trustee, and those parties as required by the Order Pursuant to the Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 130] (the “Case Management Order”) no later than five (5) business days before the scheduled hearing date, the Court may deem any opposition waived,

---

Michael D. Mueller, Esquire (VSB 38216)  
Augustus C. Epps, Jr., Esquire (VSB 13254)  
Jennifer M. McLemore, Esquire (VSB 47164)  
Noelle M. James, Esquire (VSB 76001)  
CHRISTIAN & BARTON, LLP  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112

Local Counsel for Market Heights, Ltd

---

Davor Rukavina, Esquire (Texas Bar No. 24030781)  
Jonathan L. Howell, Esquire (Texas Bar No. 24053668)  
MUNSCH HARDT KOPF & HARR, P.C.  
3800 Lincoln Plaza  
500 N. Akard Street  
Dallas, Texas 75201-6659  
Telephone: (214) 855-7501  
Facsimile: (214) 855-7584

Counsel for Market Heights, Ltd

treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you do not want the Court to approve the motion or if you want the Court to consider your views on the motion, then you or your attorney must:

- File with the Court, either electronically or at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive it on or before July 18, 2009.**

Clerk of the Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, Virginia 23219

- Pursuant to the Case Management Order, you must also serve a copy of any written response and request for hearing by the foregoing date via electronic mail on the following: (i) the Core Group, which includes the Debtors, co-counsel for the Debtors, the Office of the United States Trustee, co-counsel for any committee, counsel to the agents for the Debtors' postpetition lenders; (ii) the 2002 List; and (iii) those additional parties as required by the Case Management Order (all of which are defined in the Case Management Order), which can be found at [www.kccllc.net/circuitcity](http://www.kccllc.net/circuitcity).
- Attend a hearing before the Honorable Kevin R. Huennekens, United States Bankruptcy Judge, **at 11:00 a.m. (Eastern Time) on July 23, 2009** at the United States Bankruptcy Court, Room 5000, 701 East Broad Street, Richmond, Virginia 23219. **If you or your attorney do not attend the hearing, the Court may grant the relief requested in the motion.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting the relief requested.

Dated: July 2, 2009

CHRISTIAN & BARTON, LLP

By: /s/ Michael D. Mueller  
Michael D. Mueller, Esquire (VSB 38216)  
Augustus C. Epps, Jr., Esquire (VSB 13254)  
Jennifer M. McLemore, Esquire (VSB 47164)  
Noelle M. James, Esquire (VSB 76001)  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112

and

Davor Rukavina, Esquire (Texas Bar No. 24030781)  
Jonathan L. Howell, Esquire (Texas Bar No. 24053668)  
MUNSCH HARDT KOPF & HARR, P.C.  
3800 Lincoln Plaza  
500 N. Akard Street  
Dallas, Texas 75201-6659  
Telephone: (214) 855-7501  
Facsimile: (214) 855-7584

*Counsel for Market Heights, Ltd*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of July, 2009, I caused a copy of the foregoing to be served by electronic means on the “2002” and “Core” lists and through the ECF system.

/s/ Michael D. Mueller

Michael D. Mueller